

01/2017 JW



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STATE OF DELAWARE
COUNCIL ON REAL ESTATE APPRAISERS

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PUBLIC MEETING MINUTES:	COUNCIL ON REAL ESTATE APPRAISERS
MEETING DATE AND TIME:	Thursday, January 26, 2017 at 9:30 a.m.
PLACE:	Division of Professional Regulation 861 Silver Lake Blvd., Conference Room A Cannon Bldg., Dover, Delaware 19904
MINUTES FOR APPROVAL:	February 21, 2017

MEMBERS PRESENT

Douglas Nickel, Professional Member, Chair
Earl Timmons, Professional Member, Vice-Chair
Georgianna Trietley, Professional Member
Lynn Baker, Professional Member, Chair
Kevin Gillis, Banking Member
Patricia Ennis, Public Member
Mark Rainford, Public Member

MEMBERS ABSENT

Christopher Schneider, Professional Member
Denise Stokes, Public Member

DIVISION STAFF/DEPUTY ATTORNEY GENERAL PRESENT

Jennifer Witte, Administrative Specialist II
Kevin Maloney, Deputy Attorney General

OTHERS PRESENT

Clair Brooks
Neal Fenochietti
Beverly Wilson
Steven Parker

CALL TO ORDER

Mr. Nickel called the meeting to order at 9:31 a.m.

REVIEW OF MINUTES

A motion was made by Ms. Trietley, seconded by Mr. Timmons, to approve the minutes from the November 15, 2016 meeting as presented. The motion was carried by Mr. Nickel, Mr. Baker, Mr. Gillis and Ms. Ennis. Mr. Rainford abstained.

UNFINISHED BUSINESS

Sign Final Orders

The Council signed the final orders for the recommendations from the Chief Hearing Officer voted on at the November 15, 2016 meeting.

NEW BUSINESS

Review of Temporary Permit Applications

After review, a motion was made by Mr. Baker, seconded by Ms. Trietley, to approve the temporary practice permit of David Hopkins. The motion was unanimously carried.

Review of Continuing Education Activities

After review, a motion was made by Ms. Trietley, seconded by Mr. Baker, to approve the continuing education activities as follows:

MCKissock, LLC.

Understanding Owner Occupied Properties – A Guide for Commercial Appraisers, 7 hours CE (classroom)

Self-Storage Appraisal: Understanding the Valuation Process, 7 hours CE (classroom)

Appraisal of Assisted Living Facilities, 7 hours CE (classroom)

Danger Ahead: Appraiser Disciplinary Cases, 3 hours CE (classroom)

Documenting the Appraiser's Workfile, 3 hours CE (classroom)

Supporting Your Adjustments – Techniques for Residential Appraisers, 4 hours CE (classroom)

Understanding Limited Service Hotels – The Basics of Hotel Appraising, 7 hours CE (classroom)

Valuing Vacant Land and Sites, 4 hours CE (classroom)

Guidelines for Fannie Mae Appraisals, 5 hours CE (classroom)

Dynasty School

Advanced Residential Applications & Case Studies, 15QE/14CE (online)

Residential Market Analysis & Highest and Best Use, 15QE/14CE (online)

Real Estate Appraisal – Basic Principles & Procedures, 60QE (online)

General Appraiser Site Valuation and Cost Approach, 30QE/28CE (online)

Appraisal Institute

Valuation of Conservation Easements, 30QE/28 CE (classroom)

Delaware Chapter of the Appraisal Institute

The Art of Comparable Selection and Verification, 2 hours CE (classroom)

International Right of Way Association

Eminent Domain Law Basics for the Right of Way Professional, C-803, 16 hours CE (classroom)

United States Land Titles, C-801, 16 hours CE (classroom)

Legal Aspects of Easements, C-802, 8 hours CE (classroom)

Practical Negotiations for US Federal Funded Land Acquisition, C-207, 16 CE (classroom)
The Valuation of Partial Acquisitions, C421, 32 hours CE (classroom)
Problems in the Valuation of Partial Acquisitions, C431, 8 hours CE (classroom)

Hondros College of Business

Advanced Residential Applications and Case Studies", 15 hours QE (online)
Basic Residential Appraisal Procedures, 30 hours QE (online)
Basic Residential Appraisal Principles, 30 hours QE (online)
2016-2017 15-Hour National USPAP Course, 15 hours QE (online)
Market Analysis and Highest & Best Use, 15 hours QE (online)
Appraiser Site Valuation and Cost Approach, 15 hours QE (online)
Specialized Residential Appraisal Topics, 20 hours QE (online)
Residential Sales Comparison and Income Approach, 30 hours QE (online)
Statistics, Modeling and Finance, 15 hours QE (online)
Residential Report Writing and Case Studies, 15 hours QE (online)

Allterra Group, LLC.

2017 Making Appraising Great Again, 7 hours CE (classroom)
2017 Emerging Issues, 7 hours CE (classroom)

ASFMRA

Highest & Best Use Seminar, 8 hours CE (classroom)

The motion was unanimously carried.

Review and Consider Recommendation of the Chief Hearing Officer

Jamie Trainor, #X2-0000374

After review, a motion was made by Mr. Baker, seconded by Ms. Trietley, to accept the recommendation of the Chief Hearing Officer with an amendment of an immediate suspension without further notice if remedial continuing education not completed within the 60 days from the date the order is signed. The motion was unanimously carried.

Michael Avara, #X2-0000507

After review, a motion was made by Mr. Timmons, seconded by Mr. Baker, to accept the recommendation of the Chief Hearing Officer as presented. The motion was unanimously carried.

Daniel Carlson, #X1-0000560

After review, a motion was made by Mr. Timmons, seconded by Ms. Trietley, to accept the recommendation of the Chief Hearing Officer with an amendment to complete the deficient continuing education hours within 60 days of the date of the final order. The motion was unanimously carried.

Steven Parker, #X3-0000202

Mr. Parker was present and addressed the Council with his apologies and embarrassment for the deficiency.

After review, a motion was made by Ms. Trietley, seconded by Mr. Baker, to accept the recommendation of the Chief Hearing Officer with the modification to change the wording of "falsely attested". The motion was unanimously carried.

Review of Appraiser Trainee Applications

After review, a motion was made by Mr. Nickel, seconded by Ms. Trietley, to approve the appraiser trainee application of Phillip Capotrio. The motion was carried by Mr. Rainford, Mr. Baker, Mr. Gillis and Ms. Ennis. Mr. Timmons abstained.

After review, a motion was made by Mr. Nickel, seconded by Ms. Trietley, to approve the appraiser trainee application of Charles Birch. The motion was unanimously carried.

Review of Certified Residential Real Property Appraiser Applications

After review, a motion was made by Mr. Gillis, seconded by Mr. Timmons, to approve Andrew Lengyel to sit for the exam contingent upon approval of the 5 work samples selected. The motion was unanimously carried.

Mr. Baker selected the 5 work samples for Mr. Lengyel and will review them when submitted.

Ratify Temporary Practice Permit Applications

A motion was made by Mr. Timmons, seconded by Mr. Baker, to approve the ratified temporary practice permit applications of Joseph Anderson, Luzette Eaves, Jerry Gisclair, Thomas Sapontzis and Jonathan Jaeger. The motion was unanimously carried.

Ratify Certified Residential Real Property Appraiser Applications

A motion was made by Mr. Rainford, seconded by Ms. Trietley, to approve the ratified certified residential real property appraiser applications of Nichole Darley, Jason Radtke and Harry Thomas. The motion was unanimously carried.

Ratify Appraisal Management Company Applications

A motion was made by Mr. Timmons, seconded by Mr. Nickel, to approve the ratified appraisal management company applications of Applied Valuation Services and Financial Dimensions, Inc. The motion was unanimously carried.

Review of Certified General Real Property Applications

After review, a motion was made by Mr. Baker, seconded by Ms. Trietley, to approve the certified general real property application of Jennifer Phillips. The motion was unanimously carried.

Mr. Nickel stated the Council will delay the Appraisal Subcommittee Compliance Review until the other agenda items that are monthly Council business are completed.

Review of Supervised Appraisals by Appraiser Trainee

After review, a motion was made by Mr. Nickel, seconded by Mr. Baker, to accept the log submitted by James Boston attesting to the completion of 1000 hours and approve him to

inspect without supervision. The motion was carried by Mr. Rainford, Mr. Gillis, Ms. Trietley and Ms. Ennis. Mr. Timmons abstained.

Review of Applications for Certification as an Assessor

After review, a motion was made by Mr. Timmons, seconded by Ms. Trietley, to approve the application for certification as an assessor of Wendy Carmean. The motion was unanimously carried.

Review of Discipline and Compliance to Final Board Order – David May, #X2-000052

Ms. Witte advised that Mr. May contacted the Division regarding his disciplinary status.

In 2015, a final order was signed by the Council imposing discipline on Mr. May's license. His license was suspended for a period of 90 days followed by a 12 month period of probation. During the probation period Mr. May was to be monitored by random sampling of his appraisals in 30 day intervals in addition to a monetary penalty. Mr. May has complied with the monetary penalty. However, to date there have been no samples of Mr. May's appraisals submitted.

A motion was made by Mr. Timmons, seconded by Ms. Trietley, to lift the probation of Mr. May's license contingent upon the submission of one appraisal of a Delaware property completed within the last 30 days and satisfactory review by a Council member. The motion was unanimously carried.

Review of Supervised Appraisals by Appraiser Trainee and Request for Supervisor Change

After review of the verification of supervision and log of 269 supervised appraisals and the request for a change of supervisor, a motion was made by Mr. Timmons, seconded by Ms. Trietley, to approve the request for a supervisor change of Walton Johnson, III, and approve him to inspect without supervision.

Appraisal Subcommittee Compliance Review

Clair Brooks and Neal Fenochietti, policy managers with the Appraisal Subcommittee (ASC) for the State of Delaware, have been conducting the compliance review over the last few days within the Division of Professional Regulation.

Ms. Brooks stated that biennially the ASC visits each State appraiser regulatory agency to perform a compliance review and she gave a brief overview of the process and provided the Council members with the Appraisal Subcommittee 2015 Annual Report and a copy of The Real Property Appraiser Qualification Criteria booklet.

Ms. Brooks provided the Council with an overview of their findings in order by policy statement. She stated that there were no areas of concern with regards to Statutes, Regulations, policies and procedures, the National Registry, the application process, continuing education or enforcement of discipline. There were two incidents where temporary practice permits were not issued within the required five business days of receipt of the completed application, thus resulting in non-compliance. There were a few suggestions made to clarifying the continuing education requirements with regards to the post-renewal audits and a few administrative suggestions made. Ms. Brooks did note that the areas of non-compliance that were found in the previous compliance review have been resolved.

Ms. Brooks stated that overall Delaware did great in the compliance review. She added that in the next few weeks the Division will receive a report in which there will be 60 days given to respond.

CORRESPONDENCE

There was no correspondence.

OTHER BUSINESS BEFORE THE COUNCIL

There was no other business before the Council.

PUBLIC COMMENT

Ms. Wilson approached the Council with concerns regarding the licensee renewal process and the issues that occur as a result of the “attestation” of completion of the continuing education requirement.

Ms. Wilson advised the Council of a recent webinar held by the Delaware Association of Appraisers that had over 800 in attendance.

Ms. Wilson also thanked Ms. Witte for the updating the pdf's of approved continuing education on the Divisions' website.

NEXT MEETING

The next meeting will be February 21, 2017 at 9:30 a.m. in Conference Room A.

ADJOURNMENT

There being no further business, a motion was made by Mr. Baker, seconded by Ms. Trietley, to adjourn the meeting at 11:34 a.m. The motion unanimously carried.

Respectfully submitted,

Jennifer L. Witte

Administrative Specialist II